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UNITED
NATIONS

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General Assembly

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A/50/L.67
6 March 1996

ORIGINAL: ENGLISH

Fiftieth session
Agenda item 38

THE SITUATION OF DEMOCRACY AND HUMAN RIGHTS IN HAITI

Argentina, Canada, Costa Rica, France, Haiti, United States of America and Venezuela: draft resolution

The General Assembly,

Having considered further the item entitled "The situation of democracy and human rights in Haiti",

Recalling all its relevant resolutions, as well as those adopted on the question by the Security Council, the Economic and Social Council and the Commission on Human Rights,

Recalling also the relevant resolutions adopted on the question by the Organization of American States,

Reaffirming that the goal of the international community remains the full observance of human rights and fundamental freedoms and the promotion of social and economic development in Haiti,

Welcoming the presidential elections, which were held in a peaceful environment and observed by the Organization of American States in close coordination with the United Nations, and the peaceful transfer of power from one democratically elected President to another,

Strongly supportive of the continuing leadership of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in the efforts of the international community in furthering political progress in Haiti,

Welcoming the success of the United Nations Mission in Haiti and the contributions of the Special Representative of the Secretary-General of the United Nations and his staff to that success,

Welcoming also the continued efforts by States to provide humanitarian assistance and technical cooperation to the people of Haiti,

Supporting fully the contribution of the International Civilian Mission to Haiti and the United Nations Mission in Haiti in the establishment of a climate of freedom and tolerance propitious to the full observance of human rights and the full restoration of the constitutional democracy of Haiti, and encouraging the International Civilian Mission to continue to cooperate with the United Nations Mission in Haiti and others participating in institution-building, including police training activities,

Paying tribute to the members and staff of the International Civilian Mission to Haiti for their contribution in accompanying the Haitian people in their efforts to return to constitutional order and democracy,

Welcoming the continuous improvement in the situation of human rights in Haiti,

Taking note of the report of the Secretary-General of 25 January 1996 1/ and the addendum thereto 2/ on the situation of democracy and human rights in Haiti,

1. Welcomes the recommendation of the Secretary-General contained in his report to renew the mandate of the joint participation of the United Nations with the Organization of American States in the International Civilian Mission to Haiti, with the task of verifying full observance by Haiti of human rights and fundamental freedoms and providing technical assistance, at the request of the Government of Haiti, in the field of institution-building, such as the training of the police or the establishment of an impartial judiciary and support for the development of a programme for the promotion and protection of human rights, in order to further the establishment of a climate of freedom and tolerance propitious to the consolidation of long-term constitutional democracy in Haiti and to contribute to the strengthening of democratic institutions;

2. Decides to authorize, within existing resources and on the basis of the recommendations of the Secretary-General, the renewal of the mandate of the United Nations component of the International Civilian Mission to Haiti until 31 August 1996, according to the terms of reference and modalities under which the Mission is operating;

3. Expresses its full support for the International Civilian Mission to Haiti and welcomes the continued effective, timely and complete cooperation between the Mission and the Government of Haiti;

4. Commends the Haitian authorities on the progress accomplished in the advance of democracy, respect for human rights and the reconstruction of Haiti;

1/ A/50/861.

2/ A/50/861/Add.1.

5. Pays tribute to the Haitian people in their ongoing quest for strong and lasting democracy, justice and economic prosperity;

6. Expresses its appreciation to those States participating in the United Nations Mission in Haiti and those that have accompanied the Haitian people in their efforts to return to constitutional order and democracy;

7. Expresses its confidence that the democratic election of a new President and the peaceful transfer of power from one democratically elected President to another will further strengthen democracy in Haiti;

8. Reaffirms once again the commitment of the international community to continue its technical, economic and financial cooperation with Haiti in support of its economic and social development efforts and in order to strengthen Haitian institutions responsible for dispensing justice and guaranteeing democracy, respect for human rights, political stability and economic development;

9. Commends the cooperation between the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in their efforts to promote respect for the rights of all Haitians and to contribute to the strengthening of democratic institutions, including through the promotion and protection of human rights and institution-building;

10. Requests the Secretary-General to continue to support the Government of Haiti as it works towards the national reconstruction and development of Haiti, in order to consolidate a climate propitious to the establishment of a lasting democracy and full respect for human rights;

11. Also requests the Secretary-General to continue to coordinate the efforts of the United Nations system to help provide humanitarian aid and meet the development requirements of Haiti;

12. Further requests the Secretary-General to submit to the General Assembly regular reports on the work of the International Civilian Mission to Haiti;

13. Decides to keep the item entitled "The situation of democracy and human rights in Haiti" under review at its fiftieth session.

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Agenda item 38

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Argentina, Canada, Costa Rica, France, Haiti, United States of America and Venezuela: draft resolution

The General Assembly,

Having considered further the item entitled "The situation of democracy and human rights in Haiti",

Recalling all its relevant resolutions, as well as those adopted on the question by the Security Council, the Economic and Social Council and the Commission on Human Rights,

Recalling also the relevant resolutions adopted on the question by the Organization of American States,

Reaffirming that the goal of the international community remains the full observance of human rights and fundamental freedoms and the promotion of social and economic development in Haiti,

Welcoming the presidential elections, which were held in a peaceful environment and observed by the Organization of American States in close coordination with the United Nations, and the peaceful transfer of power from one democratically elected President to another,

Strongly supportive of the continuing leadership of the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in the efforts of the international community in furthering political progress in Haiti,

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* Reissued for technical reasons.

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Welcoming the success of the United Nations Mission in Haiti and the contributions of the Special Representative of the Secretary-General of the United Nations and his staff to that success,

Welcoming also the continued efforts by States to provide humanitarian assistance and technical cooperation to the people of Haiti,

Supporting fully the contribution of the International Civilian Mission to Haiti and the United Nations Mission in Haiti in the establishment of a climate of freedom and tolerance propitious to the full observance of human rights and the full restoration of the constitutional democracy of Haiti, and encouraging the International Civilian Mission to continue to cooperate with the United Nations Mission in Haiti and others participating in institution-building, including police training activities,

Paying tribute to the members and staff of the International Civilian Mission to Haiti for their contribution in accompanying the Haitian people in their efforts to return to constitutional order and democracy,

Welcoming the continuous improvement in the situation of human rights in Haiti,

Taking note of the report of the Secretary-General of 25 January 1996 1/ and the addendum thereto 2/ on the situation of democracy and human rights in Haiti,

1. Welcomes the recommendation of the Secretary-General contained in his report to renew the mandate of the joint participation of the United Nations with the Organization of American States in the International Civilian Mission to Haiti, with the task of verifying full observance by Haiti of human rights and fundamental freedoms and providing technical assistance at the request of the Government of Haiti, in the field of institution-building, such as the training of the police or the establishment of an impartial judiciary and support for the development of a programme for the promotion and protection of human rights, in order to further the establishment of a climate of freedom and tolerance propitious to the consolidation of long-term constitutional democracy in Haiti and to contribute to the strengthening of democratic institutions;

2. Decides to authorize, within existing resources and on the basis of the recommendations of the Secretary-General, the renewal of the mandate of the United Nations component of the International Civilian Mission to Haiti until 31 August 1996, according to the terms of reference and modalities under which the Mission is operating;

3. Expresses its full support for the International Civilian Mission to Haiti and welcomes the continued effective, timely and complete cooperation between the Mission and the Government of Haiti;

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4. Commends the Haitian authorities on the progress accomplished in the advance of democracy, respect for human rights and the reconstruction of Haiti;

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6. Expresses its appreciation to those States participating in the United Nations Mission in Haiti and those that have accompanied the Haitian people in their efforts to return to constitutional order and democracy;

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9. Commends the cooperation between the Secretary-General of the United Nations and the Secretary-General of the Organization of American States in their efforts to promote respect for the rights of all Haitians and to contribute to the strengthening of democratic institutions, including through the promotion and protection of human rights and institution-building;

10. Requests the Secretary-General to continue to support the Government of Haiti as it works towards the national reconstruction and development of Haiti in order to consolidate a climate propitious to the establishment of a lasting democracy and full respect for human rights;

11. Also requests the Secretary-General to continue to coordinate the efforts of the United Nations system to help provide humanitarian aid and meet the development requirements of Haiti;

12. Further requests the Secretary-General to submit to the General Assembly regular reports on the work of the International Civilian Mission to Haiti;

13. Decides to keep the item entitled "The situation of democracy and human rights in Haiti" under review at its fiftieth session.

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6 March 1996

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Fiftieth session
Agenda item 45

THE SITUATION IN CENTRAL AMERICA: PROCEDURES FOR THE ESTABLISHMENT OF A FIRM AND LASTING PEACE AND PROGRESS IN FASHIONING A REGION OF PEACE, FREEDOM, DEMOCRACY AND DEVELOPMENT

Colombia, Mexico, Norway, Spain, United States of America and Venezuela: draft resolution

United Nations Mission for the Verification of Human Rights and of compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala

The General Assembly,

Recalling its resolutions 45/15 of 20 November 1990, 46/109 A of 17 December 1991, 47/118 of 18 December 1992, 48/161 of 20 December 1993 and 48/267 of 19 September 1994, in which it decided to establish the Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala, and its resolutions 49/137 of 19 December 1994, 49/236 A of 31 March 1995, and, in particular, 49/236 B of 14 September 1995, in which it decided to authorize the renewal of the mandate of the Mission for the further period of six months, that is, until 18 March 1996,

Taking into account the notes by the Secretary-General transmitting the third 1/ and fourth 2/ reports of the Director of the Mission,

1/ A/50/482.

2/ A/50/878.

96-05596 (E) 110396 120396

Taking note of the conclusions and recommendations contained in the third and fourth reports of the Director of the Mission, regarding compliance by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca with their commitments under the Comprehensive Agreement on Human Rights 3/ and to the human rights aspects of the Agreement on Identity and Rights of Indigenous Peoples, 4/

Acknowledging the support given to the Mission by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca,

Concerned by the inadequate implementation of the Comprehensive Agreement on Human Rights, as reported by the Director of the Mission, and in particular the lack of action on the Mission's recommendations throughout the year 1995,

Welcoming the commitment expressed by President Alvaro Arzu to the struggle against impunity and the continuation of the peace process with the Unidad Revolucionaria Nacional Guatemalteca, within the Framework Agreement for the Resumption of the Negotiating Process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca of 10 January 1994, 5/ as well as his support for the continuation of the Mission,

Also welcoming the resumption of the negotiations between the two parties and their commitment to revitalizing the negotiations with a view to the early signing of a final peace agreement,

Acknowledging the efforts of the Secretary-General, the Group of Friends of the Guatemala peace process 6/ and the United Nations programmes and agencies for their support to the Guatemala peace process,

Having considered the recommendations of the Secretary-General regarding the renewal of the mandate of the Mission, contained in his report on the Mission, 7/

1. Welcomes the report of the Secretary-General on the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala;

2. Takes note with satisfaction of the third and fourth reports of the Director of the Mission;

3/ A/48/928-S/1994/448, annex I.

4/ A/49/882-S/1995/256, annex.

5/ A/49/61-S/1994/53, annex.

6/ The Group of Friends is composed of Colombia, Mexico, Norway, Spain, the United States of America and Venezuela

7/ A/50/881.

3. Decides to authorize within existing resources and in a manner consistent with the effective fulfilment of its mandate the renewal of the mandate of the Mission for a further period of nine months and thirteen days, that is, until 31 December 1996, in accordance with the recommendations of the Secretary-General;

4. Calls upon the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca to take effective action to implement the recommendations contained in the third and fourth reports of the Director of the Mission and to comply fully with their commitments under the Comprehensive Agreement on Human Rights and with human rights aspects of the Agreement on Identity and Rights of Indigenous Peoples;

5. Reiterates the importance of the undertaking by the parties to continue to provide their broadest support to the Mission and whatever cooperation it may need to carry out its functions, particularly with respect to the security of the members of the Mission;

6. Encourages the parties to strive for the earliest conclusion of a final peace agreement;

7. Calls upon the parties to adopt all necessary steps to eradicate the suffering of the civilian population as well as measures aimed at building confidence between them;

8. Invites the international community to continue supporting institution-building and other activities undertaken by the Mission, in cooperation with United Nations programmes and agencies, with a view to facilitating implementation of the Comprehensive Agreement on Human Rights, in particular through voluntary contributions to the trust fund for the Guatemala peace process established by the Secretary-General;

9. Requests the Secretary-General to keep the General Assembly fully informed of the implementation of the present resolution.